

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA  
AT BECKLEY**

UNITED STATES OF AMERICA,

Plaintiff,

v.

Civil Action No. 5:24-cv-00456

RYAN BAILEY and RKB, INC.,

Defendants.

**RESPONSE OF PLAINTIFF UNITED STATES OF AMERICA  
TO DEFENDANTS' MOTION FOR STAY (ECF NO. 16)**

Plaintiff United States of America does not oppose an order staying the proceedings in this civil action pending resolution of the criminal proceedings in *United States of America v. Ryan Bailey*, Criminal Action No. 5:24-cr-00106 which is presently pending in this Court. A stay at this time would promote judicial economy and avoid potential conflicts between proceedings in the criminal and civil actions. *See Ashworth v. Albers Medical, Inc.*, 229 F.R.D. 527 (S.D.W.Va. 2005). However, this response should not be considered prejudicial to the position of Plaintiff United States (ECF No. 18) opposing the Defendants' motions to set aside the entry of default (ECF Nos. 15 and 17).

Respectfully submitted,

**WILLIAM S. THOMPSON**  
**United States Attorney**

**s/Fred B. Westfall, Jr.**

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**CERTIFICATE OF SERVICE**

I, FRED B. WESTFALL, JR., Assistant United States Attorney for the Southern District of West Virginia, hereby certify that on November 27, 2024, I electronically filed the foregoing **RESPONSE OF PLAINTIFF UNITED STATES OF AMERICA TO DEFENDANTS'** **MOTION FOR STAY (ECF No. 16)** with the Clerk of the Court using the CM/ECF system which will send notification to the following CM/ECF participants:

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